



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

January 27, 2012

To: All Department Heads

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

TIMELY PROVISION OF REASONABLE ACCOMMODATIONS

A recent settlement of a disability discrimination lawsuit against the County of Los Angeles (County) brought to light a concern about timely accommodations for employees with disabilities. As outlined in previous correspondence, management of return-to-work (RTW) issues and compliance with disability discrimination laws must be an important priority. Such RTW issues include timely provision of reasonable accommodations, including the timely evaluation and utilization of ergonomic equipment to meet reasonable accommodation needs.

To further improve Countywide RTW efforts, it is imperative to ensure the proper application of existing policies, procedures, and guidelines associated with the implementation of reasonable accommodation. The Chief Executive Office (CEO), in collaboration with County Counsel, needs to ensure departments are apprised of their obligations pursuant to the Americans with Disabilities Act and Fair Employment and Housing Act. Therefore, we are recommending adherence to the following procedures:

- In the event of any problems related to the provision of a requested accommodation, the RTW Coordinator or designee must elevate the issue to a manager for immediate resolution. If the manager is unable to resolve, he/she should contact the appropriate CEO RTW specialist for assistance.
- Maintain a record of all requested accommodations and ergonomic equipment.
- Monitor the effectiveness of all accommodations provided.
- Establish a quality control plan to assure RTW files demonstrate effective communication, documentation, and timeliness.
- Establish an internal diary system that ensures RTW files are reviewed and interactive processes are documented appropriately.
- Establish a plan of action on each RTW active file where the employee is unable to return to his/her usual and customary position, with or without reasonable accommodations, for more than 12 weeks.

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

All Department Heads
January 27, 2012
Page 2

The new Absence Management System (AMS) will be made available to all departments this summer and enhance their ability to track and monitor employees on leave.

The CEO Risk Management Branch will update the protocols in the existing Return-To-Work Manual to reflect these recommendations, as well as incorporate lessons learned from the above noted lawsuit in future RTW 101 training. Those lessons relate to identifying available resources to perform ergonomic evaluations, promoting the expeditious installations of required equipment, and assuring department staff maintain continued communication as part of the interactive process.

We will continue to emphasize effective strategies and techniques in the implementation of reasonable accommodations that enable employees with known disabilities to enjoy equal benefits and privileges of employment in a productive and positive environment.

For additional information, your staff may contact Joyce Aiello, Assistant County Counsel, at (213) 974-1926, or Lisa M. Garrett, Director of Personnel, at (213) 974-2406.

If you have any questions, please contact Ellen Sandt at (213) 974-1186 or esandt@ceo.lacounty.gov

WTF:EFS
LM:AR:IR:mld

c: Each Supervisor